IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIRST DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 3844 of 2005

Between:

Syed Mahaboob Mohuiddin, S/o.Syed Ahmed Mohiuddin,
R/o.H.No.2-3-306, flat No.402, R.M.Complex, Nallaguntta,
Ramgopalpet, Secunderabad.

... PETITIONER

AND

1 The District Collector, Ranga Reddy District, Lakdikapul, Hyderabad.
2 The Revenue Divisional officer, East Division, Ranga Reddy District at Goshamahal, Hyd.
3 The Mandal Revenue officer, Uppal Mandal, Uppal Ranga Reddy District.
4 Uppari Raja Ram, S/o.Late Uppari Kistaiah,
R/o.Madinaguda, Serilingampally Mandal, R.R.District.
5 Uppari Ramulu, S/o.Late Uppari Kistaiah,
R/o.Madinaguda, Serilingampally Mandal, R.R.District.
6 Sri B.Balaiah, S/o.Pochaiah (Late)
R/o.Uppal Village & Mandal, R.R.District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ of Mandamus, or any other appropriate writ, order or direction, declaring the in action of the 3rd respondent passing order in proceedings No.B/1115/2004 dated: 27-02-2004 in favour of respondent Nos.4,5, and 6 by incorporation their names in respect of survey Nos.135 and 136 admeasuring Ac. 1.06 guntas situated at Uppal Bhagayath village, Uppal Mandal, Ranga Reddy District as illegal, improper, unsustainable, unconstitutional and violative of Article 14, 21 and 300-A of the constitution of India.

Counsel for the Petitioner: MR.Y.VENKATASATYAM

Counsel for the Respondents 1 to 3: GP FOR REVENUE

The Court at the stage of admission made the following:

-

-

-

-

-

ORDER:

Admittedly, against the impugned order dated 27-02-2004 an efficacious alternative remedy is available by way of appeal under Section 5(5) of the A.P. Rights in Land and Pattadar Pass Books Act, 1971. Without exhausting the said alternative remedy the petitioner cannot maintain this writ petition.

Accordingly granting leave and liberty to the petitioner to prefer such an appeal, the writ petition is disposed of. It is made clear that if any such appeal is preferred by the petitioner, within a period of two weeks from today, the same shall be entertained and appropriate orders be passed, in accordance with law.

The Writ Petition is accordingly disposed of. No order as to costs.

_____

G. ROHINI, J

Dated: 01-03-2005

Note: Furnish C.C. by tomorrow.

B/o.

LSK

ASSISTANT REGISTRAR

To

1 The District Collector, Ranga Reddy District, Lakdikapul, Hyderabad.
2 The Revenue Divisional officer, East Division, Ranga Reddy District at Goshamahal, Hyd.
3 The Mandal Revenue officer, Uppal Mandal, Uppal Ranga Reddy District.
4 Two C.Cs. to the G.P. for Revenue, High Court Buildings, Hyderabad. (O.U.T.)

5 Two C.D. copies.